

STATEMENT OF BASIS (AI No. 103363)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0122831 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Smith Paint Services, LLC
1006 Louis Records Road
Broussard, LA 70518

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: April 9, 2007

1. PERMIT STATUS**A. Reason For Permit Action:**

First time issuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit - NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits -
LPDES permit effective date: N/A
LPDES permit expiration date: N/A

D. Date Application Received: September 18, 2006

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - oilfield service sand blasting and painting facility**

Smith Paint Services LLC is an oilfield service facility that sand blasts and paints new piping for oilfield companies. The discharges from this facility consist of treated sanitary wastewater and industrial stormwater.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II (BPJ to 5 points due to low flow and no washwater included in wastewater)
3. Wastewater Type: III
4. SIC code: 1389

C. LOCATION - 5314 Port Road, New Iberia, Iberia Parish
Latitude 29° 56' 58", Longitude 91° 57' 11"

Statement of Basis for
Smith Paint Services, LLC,
LA0122831, AI No. 103363
Page 2

3. **OUTFALL INFORMATION**

Outfall 001

Discharge Type: treated sanitary wastewater

Treatment: septic tank

Location: at the point of discharge from the septic tank prior to mixing with waters of the state

Flow: 100 GPD

Discharge Route: via pipe to Rodere Canal thence into the New Iberia Southern Drainage Canal

4. **RECEIVING WATERS**

STREAM - via pipe to Rodere Canal thence into the New Iberia Southern Drainage Canal

BASIN AND SEGMENT - Vermilion - Teche Basin, Segment 060901

DESIGNATED USES - a. primary contact recreation
 b. secondary contact recreation
 c. propagation of fish and wildlife

5. **TMDL STATUS**

Subsegment 060901, Bayou Petite Anse - Headwaters to Bayou Carlin (Estuarine), is not listed on LDEQ's Final 2004 303(d) list as impaired. However, subsegment 060901 was previously listed as impaired for suspended solids/ turbidity/ siltation, nutrients, organic enrichment/low DO, pathogen indicators, carbofuran, phosphorus, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 060901:

The Bayou Petite Anse TMDL's for Dissolved Oxygen and Nutrients was completed April 2002. According to this TMDL, all facilities with oxygen demanding parameters in their permit were included in the TMDL calculations, but none of them were considered large enough to be modeled explicitly. This facility is not expected to discharge pollutants at a level which would cause or have the reasonable potential to cause or contribute to an excursion above any present state water quality standard for the nutrients or phosphorus impairment causes. However, to protect against the potential discharge of pollutants which may contribute further to the organic enrichment/low DO impairment cause, a BOD limit has been established for Outfall 001.

The Bayou Petite Anse TMDL for Fecal Coliform was completed April 2003. This facility's discharges were not addressed in this TMDL. This facility is not expected to discharge pollutants at a level which would cause or have the reasonable potential to cause or contribute to an excursion above any present state water quality standard for fecal coliform. However, to protect against the potential discharge of

Statement of Basis for
Smith Paint Services, LLC,
LA0122831, AI No. 103363
Page 3

pollutants which may contribute to further fecal coliform impairment, a fecal coliform limit has been established for Outfall 001.

The TMDL for TSS, Turbidity, and Siltation was completed May 2001. Point sources do not represent a significant source of TSS as defined in this TMDL and are already addressed by LDEQ through permitting of point sources. To protect against the further impairment of the suspended solids/turbidity/siltation cause a TSS limit has been established for Outfall 001.

The TMDL for Carbofuran was completed March 2002. There is only one point source discharger, FMC Corporation Agricultural Products Group, discharging carbofuran in this subsegment. Additionally, carbofuran is not expected to be discharged from this facility.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

7. COMPLIANCE HISTORY/COMMENTS

- A. WQMD – There are no open, appealed, or pending OEC enforcement actions as of April 9, 2007.
- B. DMR Review: There are no DMR's for this facility, as this is the initial issuance of an LPDES permit.

8. ENDANGERED SPECIES

The receiving waterbody, Subsegment 060901 of the Vermilion - Teche Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006 from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

Statement of Basis for
Smith Paint Services, LLC,
LA0122831, AI No. 103363
Page 4

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

Statement of Basis for
 Smith Paint Services, LLC,
 LA0122831, AI No. 103363
 Page 5

Rationale for Smith Paint Services, LLC

1. Outfall 001 - treated sanitary wastewater (estimated flow is 100 GPD)

<u>Pollutant</u>	<u>Limitation</u>		<u>Reference</u>
	Mo. Avg.:	Wkly. Avg. (mg/l)	
Flow (GPD)	---	Report	
BOD	---	45 mg/l	Similar discharges and LAG530000* (BPJ)
Fecal Coliform Colonies/100 ml	---	400 mg/l	Similar discharges and LAG530000* (BPJ)
TSS	---	45 mg/l	Similar discharges and LAG530000* (BPJ)
pH		6.0 - 9.0 su	Similar discharges and LAG530000* (BPJ)

Treatment: septic tank

Monitoring Frequency: Semiannually for all parameters at the point of discharge from the septic tank prior to mixing with waters of the state.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other facilities and the Class I Sanitary General Permit, LAG530000 effective November 1, 2002.

* Existing permits for similar outfalls

BPJ Best Professional Judgement
 su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 1389 are considered to have storm water discharges associated with industrial activity.

The SWP3 shall be prepared, implemented, and maintained within (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in the storm water discharges associated with industrial activity at the facility (see Narrative Requirements for the AI).